

JUN 23 2006

PATENT

Attorney's Docket No. 046562/297703

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Frasca et al.
 Appl No.: 10/549,829 Confirmation No.: 1682
 Filed: September 20, 2005 Group Art Unit: To Be Assigned
 For: METHODS FOR PAIN USING SMOOTH MUSCLE MODULATORS AND
 $\alpha_2\delta$ SUBUNIT CALCIUM CHANNEL MODULATORS

June 23, 2006

Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

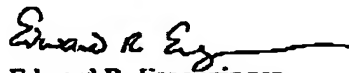
RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application dated May 11, 2006, enclosed are the following:

- ☒ Part 2 of Formalities Letter (Notice to File Missing Parts of Application)
☒ Declaration and Power of Attorney for the above-identified application, which has been executed by the named inventor(s)
☐ Declaration of Inventors which has been executed by the named inventor(s) and an Assignee Power of Attorney
☒ Applicant claims small entity status
☐ Check in the amount of \$0 to cover the surcharge under 37 C.F.R. § 1.16(f)
☐ English Translation and \$130.00 (37 CFR 1.17(i)) fee for filing late.
☐ Other:
☒ Any deficiency, additional fee, or credit may be charged to our Deposit Account No. 16-0605.

06/30/2006 ATRANI 00000157 160605 10549829
 01 FC:1631 300.00 DA

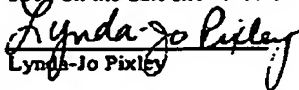
Respectfully submitted,


 Edward R. Ergenzinger
 Registration No. 47,549

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at facsimile number (571) 273-8300 on the date shown below.


 Lynda Jo Pixley

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JUN 23 2006

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June 23, 2006

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571-273-8300

Voice Number:**Sender:**

Edward R. Ergenzinger, Reg. No.
47,549

Message:**In re:** Fraser et al.**Appl No.:** 10/549,829**Filed:** September 20, 2005**For:** METHODS FOR PAIN USING SMOOTH MUSCLE MODULATORS AND
 $\alpha_2\delta$ SUBUNIT CALCIUM CHANNEL MODULATORS**Confirmation No.:** 1682**Group Art Unit:** To Be Assigned

Documents Attached: Response to Notice to File Missing Parts (1 pg); Declaration (3 pgs);
Copy of Notice of Missing Requirements (2 pgs)

Number of Pages: (including cover page) 7**IF NOT RECEIVED PROPERLY, PLEASE NOTIFY US IMMEDIATELY AT 919-862-2221.**

USER CODE: ERGE	REQUESTED BY: Lynda, 2233
CLIENT/MATTER: 046562/297703	OPERATOR:

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,829	Matthew Oliver Fraser	046562/297703
INTERNATIONAL APPLICATION NO.		
PCT/US04/08700		
LA. FILING DATE		PRIORITY DATE
03/22/2004		03/21/2003

826
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CHARLOTTE, NC 28280-4000**

CONFIRMATION NO. 1682
371 FORMALITIES LETTER



Date Mailed: 05/08/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/20/2005
- Copy of the International Search Report filed on 09/20/2005
- Copy of IPE Report filed on 09/20/2005
- Copy of Annexes to the IPER filed on 09/20/2005
- Copy of Article 19 Amendments filed on 09/20/2005
- Information Disclosure Statements filed on 09/20/2005
- Request for Immediate Examination filed on 09/20/2005
- U.S. Basic National Fees filed on 09/20/2005
- Priority Documents filed on 09/20/2005
- Specification filed on 09/20/2005
- Claims filed on 09/20/2005
- Abstracts filed on 09/20/2005
- Drawings filed on 09/20/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- **Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.**
- **To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, for a**

**ALSTON & BIRD
RTA**

By 123 123
Date 5/11/02

must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

Additionally the following defects have been observed:

- Article 19 amendments have not been entered because the amendments have been replaced by the Article 34 annexes.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.135(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NPL	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,829	PCT/US04/08700	046562/297703

FORM PCT/DQ/EO/905 (371 Formalities Notice)